




STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL

OFFICE OF THE  
SECRETARY

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MEMORANDUM TO: Office of the Governor  
Members of the Senate Natural Resources and Environmental  
Control Committee  
Members of the House Environment and Natural Resources  
Committee

FROM : Collin P. O'Mara, Secretary 

SUBJECT : **START ACTION NOTICE**

DATE : February 6, 2013

Enclosed for your information is **APPROVED** Start Action Notice:

2013-01 to revise DE Admin. Code 1140, Delaware National Low Emission Vehicle Program.

Division Directors  
Public Affairs  
Those on Start Action Approval List  
Responsible Staff Member

*Delaware's Good Nature depends on you!*



APPROVED BY *[Signature]*  
DATE 2-12-2013

START ACTION NOTICE  
2013-01 Revised

1. TYPE OF ACTION: Revise 7 DE Admin. Code 1140, Delaware National Low Emission Vehicle Program.
2. PURPOSE OF ACTION: 7 DE Admin. Code 1140 currently incorporates by reference California's Low Emission Vehicle (LEV) II standards, and provides for the prospective incorporation of any future revisions to those standards that are promulgated by California.

The purpose of this action is to revise 7 DE Admin. Code 1140 to 1) remove the requirements that provide for prospective incorporation of revisions made by California, and 2) update the applicable sections of the Low Emission Vehicle (LEV) III standard and the Greenhouse Gas (GHG) standard, also known as the Advanced Clean Cars Program for model years 2015 to 2025.

3. STATUTORY BASIS: 7 Del. C., Chapter 60, Environmental Control
4. LIKELY AFFECTED PUBLIC: Automobile manufactures, and anyone who sells or purchases a new model year 2015-2025 auto or light-duty truck.

5. PROPOSED SCHEDULE OF ACTIVITIES:  
Workgroup Meeting(s) – February/March 2013  
Public workshop – May 2013  
Proposal in Delaware Register – July 1, 2013  
Public Hearing – July 2013  
Effective Date – October 2013

6. REVIEW COMMITTEE: The Department plans to meet with members of the environmental community, the Delaware Automobile & Truck Dealers Association, the Alliance of Automobile Manufacturers, and any other interested persons through one or more stakeholder workgroup meetings, to aid the Department in the development of the proposed regulatory language. In addition, the Department will hold a public workshop to discuss the draft regulation, and to provide additional opportunity for public education and input. In addition, the Department will establish and maintain an informative web site throughout the regulatory development process, will publish a proposal in the Delaware Register of Regulations, and will hold a public hearing prior to taking any final action on this amendment. The Department believes this process will ensure adequate opportunity for stakeholder and public education and comment.

7. RESPONSIBLE STAFF MEMBER:  
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8. APPROVALS:

Deanna M Cuccinello      01/03/13  
Responsible Staff Member      Date

\_\_\_\_\_  
Division Director      Date